

PROPOSED PRESS RELEASE

Today the President signed two Executive orders dealing with investigative and security requirements for employment in the executive branch of the Government.

These orders, which replace Executive Order No. 10450 of April 27, 1953, entitled "Security Requirements for Government Employees", have been issued as an interim measure pending completion and implementation of the report of the Commission on Government Security. They are primarily designed to cope with problems concerning the Government-employees security program arising as a result of the decision of the Supreme Court in the case of Cole v. Young, and confirm administrative instructions given since that decision.

That case held, in effect, that not all positions in the Government are affected with "the national security", and that only those Government employees whose positions are so affected can be removed under the act of August 26, 1950, which is the basic authority for the Government-employees security program.

The first order deals only with positions affected with the national security, and those positions are described as sensitive positions. Under this order, a position will be designated as a sensitive position if the occupant of the position (a) has access to defense information or materials classified as confidential, secret, or top secret, (b) exercises or participates in policy-making functions which could adversely affect the national security, or (c) could by his misconduct adversely affect the national security.

The order extends the provisions of the act of August 26, 1950, only to those departments and agencies in which there are sensitive positions. The heads of those departments and agencies are required to investigate all sensitive-position employees and to determine the scope of such investigations. However, the minimum investigative requirements for such positions are a national agency check (including a check of the fingerprint files of the FBI), and written inquiries to appropriate law-enforcement agencies, former employers and supervisors, references, and schools, but inquiries may be waived with respect to persons who have been continuously employed by the Government for 5 years or more if no derogatory information exists with respect to them. If a position permits access to top secret information, a "full-field" investigation is required. Investigations which develop derogatory security or loyalty information will be referred to the Federal Bureau of Investigation for full-field investigations.

The order also provides that the removal of sensitive-position employees in the interest of the national security shall be accomplished in accordance with the provisions of the act of August 26, 1950, which safeguards employees by requiring that they be furnished with statements of charges and hearings on such charges. Removal of employees from sensitive positions for reasons other than security considerations will be accomplished under other laws and regulations applicable to Government employees.

The second order provides minimum investigative requirements for occupants of non-sensitive positions. Those requirements are similar to the requirements heretofore applicable to non-sensitive positions under Executive Order No. 10450, which is superseded by the first of these two orders. The second order contains no provision for the removal of non-sensitive-position employees. Such removals will be accomplished under existing laws and regulations.

Since the orders are issued as interim measures pending the completion and implementation of the report of the Commission on Government Security, no substantial changes have been made in the existing programs except as required by the Supreme Court decision, and in the interest of precise conformity with the act of August 26, 1950. The orders will provide the departments and agencies with definite guidelines in the operation of the employee-security program, and will assure consistent treatment of Government employees under the act of August 26, 1950